

**Tennessee Board of Architectural and Engineering Examiners  
Board Meeting  
Davy Crockett Tower  
Nashville, Tennessee**

November 15, 2007

**Board Members Present**

Bob Campbell, Professional Engineer  
James Hastings, Registered Architect  
Philip Lim, Professional Engineer  
John Love, Registered Landscape Architect  
Dana Miller, Registered Interior Designer  
William Stockard, Professional Engineer  
Richard Thompson, Registered Architect  
Brenda Wood, Public Member

**Board Members Absent**

David Schuermann, Registered Architect

**Associate Board Members Present**

Dennis Henderson, Professional Engineer  
Carlton Norris, Professional Engineer  
Raymond White, Professional Engineer

**Staff Present**

Wayne Pugh, Legal Counsel  
John Cothron, Executive Director  
Wanda Phillips, Administrative Manager  
Wanda Garner, Administrative Assistant

**Guest**

Randy Caldwell, President of the American Society of Landscape Architects, Tennessee Chapter (ASLA-TN)  
Al Bodie, ASLA-TN  
Candy Toler, Tennessee Society of Professional Engineers/American Council of Engineering Companies of Tennessee (TSPE/ACEC-TN)  
Don Baltimore, Tennessee Interior Design Coalition (TIDC)

**CALL TO ORDER**

Dana Miller, chair, called the meeting to order at 9:00 a.m. Roll call determined that a quorum was present.

Mr. Thompson, seconded by Mr. Stockard, moved to accept the agenda with the exception that the presentation of Christy Allen's resolution is moved to that time when she arrives. The motion passed unanimously.

## **CONSENT AGENDA**

### *Approval of Minutes (attached)*

Mr. Thompson, seconded by Mr. Lim, moved to accept the minutes of the October 19, 2007 meeting as written. The motion passed unanimously.

### *Staff Complaint Report (attached)*

Mr. Stockard, seconded by Mr. Campbell, moved to accept the recommendation presented in the Complaint for Board Decision. The motion passed unanimously.

## **PROFESSIONAL SOCIETY REPORT**

Candy Toler, TSPE/ACEC-TN, reported that

- they have seventeen entries for the Engineering Excellence Awards;
- the Engineering Excellence Awards' Banquet will be held on March 4, 2008;
- Engineers' Day on the Hill will be on March 4, 2008; and
- a series of seminars are scheduled for December 5-7, 2007 in Knoxville, Nashville, and Memphis.

Randy Caldwell, ASLA-TN, reported that

- elections are being held for the ASLA-TN Executive Committee.
- more than 400 people attended the 2007 Tennessee Annual Conference put together by Tennessee Chapter of the American Planning Association, Tennessee Chapter of the American Society of Landscape Architects, Tennessee Urban Forestry Council, Urban Land Institute, and U.S. Green Building Council;
- a planning retreat was recently held at Montgomery Bell State Park; and
- Capitol Hill Day is scheduled for February 26, 2008.

## **DIRECTOR'S REPORT**

### *Financial Data (attached)*

Mr. Lim submitted and reviewed the financial report.

Bob Campbell present at 9:25 a.m.

Philip Lim was absent 9:30 a.m.

## **OLD BUSINESS**

### *Action Items (attached)*

Mr. Cothron reported that

- the Election Process Committee met this morning and will submit a report at a later date;
- the location of the 2008 Fall Planning Session is yet to be determined;
- he is studying ways to increase the grants appropriation amount and ways to utilize the Board's reserve funds;
- a revised draft of the record/as-built drawings policy will be submitted to the Board at the January meeting;
- approval has been obtained to print the Law and Rules books;

- a joint meeting with architectural, engineering, landscape architectural, and interior design deans and program directors is a long-range goal and will be planned for next year;
- a request will be made to delete *Tennessee Code Annotated*, § 62-2-308(c) when the department requests items to be included in its legislative package next year; and
- the Assistant Commissioner denied a request to send representation to the National Council of Examiners for Engineering and Surveying Southern Zone meeting in Puerto Rico in May 2008.

Ms. Miller reported that she will soon complete her assigned tasks.

Mr. Schuermann, being absent, will report on his assigned tasks at the next meeting.

Mr. Henderson distributed a revised draft of a health, safety, and welfare policy for engineers (attached) to members of the Engineering Committee and Candy Toler.

Mr. Pugh reviewed the draft of proposed rule changes (attached). Several Board members expressed opposition to a rule change requiring registrants to include a notation below the seal noting the expiration date of the registrant's certificate of registration. Candy Toler stated that members of the Tennessee Society of Professional Engineers also oppose the proposed rule change. Mr. Thompson, seconded by Mr. Stockard, moved to accept the proposed amendments to rules as stated in the Notice of Rulemaking Hearing with the exception of the amendment requiring a registrant to note his/her license expiration date below the seal. After much discussion, Board members realized that more consideration of rule changes was needed. Mr. Thompson withdrew his motion. Mr. Pugh will make revisions and present them at the January meeting.

Mr. Pugh stated that he will also draft changes to the disclosure requirements for registered interior designers in rule 0120-4-.10. Mr. Cothron stated that he will conduct research on how other boards handle address changes and requests for verification. Mr. Pugh noted that a statutory change would be necessary in order to require firms to renew.

Mr. Pugh reported that the MIC (Microbial Influenced Corrosion) waiver letter previously used by the State Fire Marshal's Office (SFMO) and the Owner's Information Certificate are different documents. He also reported that he is working with Rick Thompson and the SFMO on determining how *Tennessee Code Annotated*, § 62-2-107 and the Seal Exemptions policy relate to one another.

Meeting dates have not been set for the Reference Manual Revision Task Force, the Continuing Education Committee, and the Publications Committee. The Continuing Education Committee requested that a meeting be scheduled for January.

The required action is being taken on the remaining items.

Break 10:00-10:20 a.m.

Philip Lim present at 10:20 a.m.

*Record/As-Built Drawings Policy* (attached)

Mr. Hastings, seconded by Mr. Campbell, moved to defer action on this item until the January meeting. The motion passed unanimously.

*2008 Meeting Dates (attached)*

Mr. Lim, seconded by Mr. Thompson, moved to approve January 10-11, 2008, and the remaining revised meeting dates as noted. The motion passed unanimously.

**NEW BUSINESS**

*Report on the National Council for Interior Design Qualification Annual Meeting*

Ms. Miller submitted a written report. (attached)

*Report on the National Council of Architectural Registration Boards Member Board Executives Workshop*

Mr. Cothron reported that the following issues were discussed at the NCARB MBE Workshop on November 2-3, 2007:

- The Quality Assurance Audit conducted by the Member Board Executives found nine serious errors in council records (e.g., no transcript, did not answer disciplinary action questions), and thirty-one minor errors (wrong dates, duplicate information, etc.). NCARB responded that they are working to improve records processing.
- Cindy McKim, director of the Alabama board, was elected to serve as the MBE on the NCARB Board of Directors. Her term will begin in July 2008.
- A resolution requiring that interns report their training activity to NCARB at least every six months is moving forward, and will probably be proposed at the 2008 Annual Meeting. The resolution will likely set the implementation date in 2009, and will only apply to candidates who apply after the implementation date.
- A resolution changing the employment duration requirement for IDP from at least 35 hours a week for 8 consecutive weeks or 20 hours a week for 6 consecutive months to at least 15 hours a week for 8 consecutive weeks may also be presented at the 2008 Annual Meeting.
- The IDP Committee is working to develop guidelines for supervisors and is studying if the direct supervision rules should be changed to allow supervision from a distance when an intern and his/her supervisor work in different offices. This study probably will not result in a resolution for several years.
- First Vice President Gordon Mills discussed his "National Passport" proposal.

*Distribution of Grant Funds (attached)*

Mr. Hastings, seconded by Mr. Campbell, moved to accept the plan for the 2007-2008 grant distribution as presented. The motion passed unanimously.

**LEGAL CASE REPORT** (presented by Wayne Pugh) (attached)

1. Case #L07-AEL-RBS-2007071061 *Complaint #200707106*

Mr. Campbell, seconded by Mr. Thompson, moved to close the case. The motion passed unanimously.

2. Case #L07-AEL-RBS-2007061671 *Complaint #200706167*

3. Case #L07-AEL-RBS-2007052181 *Complaint #200705218*

Mr. Thompson, seconded by Ms. Wood, moved to authorize formal hearings for these two cases. The motion passed unanimously.

4. *Case #L05-AEL-RBS-2005040221* *Complaint #200504022*  
Mr. Campbell, seconded by Mr. Stockard, moved that the respondent meet with Mr. Thompson and Mr. Pugh for an informal conference. The motion passed unanimously.
5. *Case #L07-AEL-RBS-2007069021* *Complaint #200706902*  
Mr. Lim, seconded by Ms. Wood, moved that the respondent meet with Ms. Miller and Mr. Pugh for an informal conference. The motion passed unanimously.
6. *Case #L07-AEL-RBS-2007086601* *Complaint #200708660*  
Mr. Campbell, seconded by Ms. Wood moved to defer the case so Mr. Pugh can determine how many projects were sealed. The motion passed unanimously.
7. *Case #L07-AEL-RBS-2007071631* *Complaint #200707163*  
Mr. Campbell, seconded by Mr. Thompson, moved to authorize a formal hearing with authority to settle by a Consent Order of not less than \$500.00. After some discussion, Mr. Campbell withdrew the motion, and moved, with a second by Mr. Lim, to ask Mr. White to review the plans. The motion passed unanimously.

Mr. Pugh received a letter from a registrant alleging that another registrant fraudulently obtained his degree by plagiarizing his thesis. The Board agreed that this matter should be handled by the school in question.

Mr. Lim, seconded by Hastings, moved to adjourn the meeting. The motion passed unanimously.

The meeting adjourned at 11:45 a.m.

#### ATTACHMENTS

Minutes of the October 19, 2007 Meeting  
Staff Complaint Report  
Financial Data  
Action Items  
Revised draft of a health, safety, and welfare policy for engineers  
Draft of proposed rule changes  
Record/As-Built Drawings Policy  
2008 Meeting Dates  
Report on the NCIDQ Annual Meeting  
Distribution of Grant Funds  
Legal Case Report